

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NO.

MOS01 P-122

U.S. APPLICATION NO. 10/526795  
CFR 101.11

PRIORITY DATE CLAIMED

13 September 2002 (13.09.2002)

INTERNATIONAL APPLICATION NO.  
PCT/EP2003/009522

INTERNATIONAL FILING DATE  
28 August 2003 (28.08.2003)

**TITLE OF INVENTION**

## LIFTING DEVICE FOR CONTAINERS

APPLICANT(S) FOR DO/EO/US: Hermann Franzen and Joachim Kröll

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)):
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)):
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)):
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (UNSIGNED)
10. ☐ A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 20. below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

US APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 24pt; font-weight: bold; margin-top: 10px;">10/526795</div>		INTERNATIONAL APPLICATION NO. PCT/US2003/009522		ATTORNEY'S DOCKET NO. MOS01 P-122	
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The following fees are submitted:  <div style="margin-top: 10px;">           21. <input checked="" type="checkbox"/> Basic national fee ..... \$300.00             22. <input checked="" type="checkbox"/> Examination fee                <input type="checkbox"/> If International preliminary examination report prepared by USPTO and                All claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100.00                <input checked="" type="checkbox"/> All other situations ..... \$200.00             23. <input checked="" type="checkbox"/> Search fee                <input type="checkbox"/> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application                to the USPTO as an International Searching Authority ..... \$100.00                <input checked="" type="checkbox"/> International Search Report prepared and provided to the Office ..... \$400.00                <input type="checkbox"/> All other situations ..... \$500.00   <div style="text-align: center; margin-top: 20px;">TOTAL OF 21, 22 and 23 =</div> </div>				Calculations <div style="margin-top: 10px;">\$300.00</div> <div style="margin-top: 10px;">\$200.00</div> <div style="margin-top: 10px;">\$400.00</div> <div style="margin-top: 10px;">\$900.00</div>	Office use only								
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;">Total Sheets</td> <td style="width:20%;">Extra sheets</td> <td style="width:40%;">Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td style="width:20%;">RATE</td> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x \$250.00</td> </tr> </table>				Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		x \$250.00	<div style="margin-top: 10px;">\$</div> <div style="margin-top: 10px;">\$</div>	
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE										
- 100 =	/50 =		x \$250.00										
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<div style="margin-top: 10px;">\$</div> <div style="margin-top: 10px;">\$</div>									
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE										
Total claims	13 - 20 = 0	0	x \$ 50.00	\$ 0.00									
Independent claims	1 - 3 = 0	0	x \$ 200.00	\$ 0.00									
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0.00									
TOTAL OF ABOVE CALCULATIONS				=	\$900.00								
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$								
SUBTOTAL				=	\$								
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$									
TOTAL NATIONAL FEE				=	\$								
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$								
TOTAL FEES ENCLOSED				=	\$900.00								
				Amount to be Refunded:	\$								
				charged:	\$								

10/526795

PTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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PT12 Rec'd PCT/PTO 07 MAR 2005

US APPLICATION NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NO.

PCT/US2003/009522

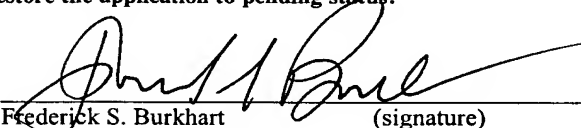
MOS01 P-122

- a. ☒ A check in the amount of \$900.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 22-0190 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0190. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Frederick S. Burkhart  
Van Dyke, Gardner, Linn & Burkhart, LLP  
Post Office Box 888695  
Grand Rapids, Michigan 49588-8695

  
Frederick S. Burkhart  
Registration No. 29 288

(signature)

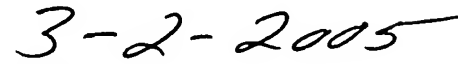
Telephone: (616) 988-4104  
Facsimile: (616) 975-5505

Dated: March 7, 2005

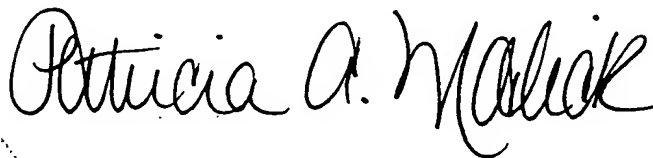
**Verification Statement**

I verify that the attached document represents a complete and accurate translation in English of the German original of the international patent application no. PCT/EP2003/009522 entitled "Lifting device for containers". I certify that I am a professional translator who is fluent in the English and German languages.

  
\_\_\_\_\_  
Ron Radzai/ Ashland, PA, U.S.A.

  
\_\_\_\_\_  
Date

Notarial Seal Patricia A. Malick, Notary Public Mt. Carmel Boro, Northumberland County My Commission Expires May 2, 2006
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DT02 Rec'd PCT/PTO 07 MAR 2005

PATENT  
MOS01 P-122

10/526795

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hermann Franzen and Joachim Kröll  
For : LIFTING DEVICE FOR CONTAINERS  
International Filing Date : 28 August 2003  
International Application No. : PCT/EP2003/009522  
Attorney Docket No. : MOS01 P-122  
Customer No. : 28101

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF EXPRESS MAIL

I certify that the attached return postcard, Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (Form PTO-1390) (3 pages, in duplicate), Patent Application Bibliographic Data Form (1 page), Declaration for Utility or Design Patent Application (37 C.F.R. 1.63) (2 pages, unsigned), Preliminary Amendment (8 pages), copy of International Application No. PCT/EP2003/009522 (WO 2004/033357 A1) (21 pages), International Search Report in German and English (4 pages), verified English language translation of the International Application (9 pages), amendments to the claims of the International Application under PCT Article 19 (2 pages) and verified English language translation of the amendments under PCT Article 19 (3 pages), International Preliminary Examination Report under PCT Article 36 (7 pages), six (6) sheets of drawings (in duplicate); Information Disclosure Statement (2 pages); Form PTO-1449 (1 page); and copy of the foreign patent publications and other information referenced in the PTO-1449 form (46 pages); and a check in the amount of \$900 for the filing fee are being deposited with the United States Postal Service as Express Mail in an envelope having Express Mail Label Number EV384322575US addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on March 7, 2005.

FSB:djr  
MOS01 P-122  
Enc.

Donna J. Raaymakers  
Donna J. Raaymakers  
Van Dyke, Gardner, Linn & Burkhart, LLP  
2851 Charlevoix Drive, S.E., Suite 207  
Post Office Box 888695  
Grand Rapids, Michigan 49588-8695  
(616) 988-4108